

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/844,287	04/27/2001	Gene Givan	P 034062 272080

**CONFIRMATION NO. 9996**  
**FORMALITIES LETTER**



\*OC00000006230957\*

Pillsbury Winthrop LLP  
 Intellectual Property Group  
 50 Fremont Street  
 San Francisco, CA 94105

Date Mailed: 06/27/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION****FILED UNDER 37 CFR 1.53(b)*****Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$54.
  - \$54 for 3 total claims over 20.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 894.

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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



BEST AVAILABLE COPY

PAT-103 3/01 PTO RECEIPT FOR INDICATED ITEMS  
Appln. No: 09/844,287 Atty JEJobe  
Inventor(s) Patrick D. BUTLER et al Date 08/08/01  
Title: METHOD OF PROVIDING COMPARATIVE  
MARKET INFORMATION C# 034062  
M# 272080

ENCLOSED:

Amendment  Appendix  Cover sheet  
#        No. of Pages Abstract  
#        No. of Pages Spec and Claims  
#        No. of numbered Claims only  
 Declaration (3 #pgs)  
 Assignment  Cover Sheet  
#        No. of Priority Documents  
#        No. Sheets Drawings (Fig(s) 1 to       )  1 set Formal  
 IDS Letter  cited Appl(s).  Foreign sch rept./OA  
 PTO-1449  cited docs.

\$ 934.00 Fee (Check)

Other: Filing Completion Under Rule 53(f) (transmittal) (in duplicate); Part 2 -  
Copy of Notice to File Missing Parts of Nonprovisional Application; Return  
Postcard

PAT-103 3/01 PTO RECEIPT FOR INDICATED ITEMS  
Appln. No: 09/844,287 Atty JEJobe  
Inventor(s) Patrick D. BUTLER et al Date 08/08/01  
Title: METHOD OF PROVIDING COMPARATIVE  
MARKET INFORMATION C# 034062  
M# 272080

ENCLOSED:

Amendment  Appendix  Cover sheet  
#        No. of Pages Abstract  
#        No. of Pages Spec and Claims  
#        No. of numbered Claims only  
 Declaration (3 #pgs)  
 Assignment  Cover Sheet  
#        No. of Priority Documents  
#        No. Sheets Drawings (Fig(s) 1 to       )  1 set Formal  
 IDS Letter  cited Appl(s).  Foreign sch rept./OA  
 PTO-1449  cited docs.

\$ 934.00 Fee (Check)

Other: Filing Completion Under Rule 53(f) (transmittal) (in duplicate); Part 2 -  
Copy of Notice to File Missing Parts of Nonprovisional Application; Return  
Postcard



FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND BACK OF THIS DOCUMENT HAS ARTIFICIAL WATERMARK HOLD AT ANGLE TO VIEW

BANK OF AMERICA  
45 MONTEBOMBY

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**PITTSBURGH WINTERROP**  
101 West Broadway, Suite 1800  
San Diego, CA 92101

San Diego, CA 92101

NINE HUNDRED THIRTY-FOUR AND 00/100 BOLLAGS

ORDER OF Assistant Commissioner for Patients

“三〇〇四五四”“一九二一〇〇〇三五八”“一四四三”“五二〇二四”

VOID AFTER 90 DAYS

PILLSBURY WINTHROP LLP GENERAL ACCOUNT					
VENDOR NO.	CHECK NO.	CHECK DATE	Assistant Commissioner for Patents		
INVOICE NO.	INVOICE DATE	COMMENTS	INVOICE AMOUNT	DISCOUNT	NET
006377	300454	08/08/2001			
080801	08/08/2001		934.00		934.00
		Totals:	\$934.00		\$934.00
TOTALS					

Certificate of Express Mailing

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Services, as first class mail, on the date shown below, in an envelope addressed to the Assistant Commissioner for Patents, U.S. Patent and Trademark Office, Washington, D.C. 20231.

Dated: August 8, 2001

By: Kim A. Cabello

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**FILING COMPLETION UNDER RULE 53(f)**

( NOT PCT Applications)  
For Design, Provisional, or Utility Applications

**PATENT  
APPLICATION**

**COMPLETION Under  
Rule 53(f)**

In re PATENT APPLICATION of

Inventor(s): Patrick D. BUTLER; Andrew M. POLE and Gener R. GIVAN

Appln. No.: 09 844,287 Atty.Dkt. P 034062 | 272080  
Series Code ↑ Serial No. ↑ M# Client Ref

Filed: April 27, 2001

Title: METHOD OF PROVIDING COMPARATIVE MARKET INFORMATION

Attn: Application Division

Hon. Commissioner of Patents  
Washington, DC 20231

Date: August 7, 2001

Sir:

The following completes the filing under Rule 53(f) of the above-identified patent application:

1. **Notice to File Missing Parts**  copy attached  not yet received
2.  Signed Declaration attached.  Original  Facsimile/Copy

(Always "X" box 2 if filling signed Declaration and

"X" box 2A only if top box of the Declaration is X'd and file application copy, or  
"X" box 2B only if none of the top three boxes of the Declaration is X'd.)

- 2A.  Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.
- 2B.  The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.
3.  Specification originally filed in non-English language; hence verified translation attached:
  - a.  Abstract
  - b. #  pages of Specification(only spec. & claims)
  - c.  Drawing(s)

No of Sheets \_\_\_\_\_

Fig(s). \_\_\_\_\_
4.  Letter filing formal drawing attached.
5.  Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.
6. **DOMESTIC/INTERNATIONAL** priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	
(5)		(6)	

7. **FOREIGN** priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in \_\_\_\_\_

8.

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	
(5)		(6)	

Completion Under Rule 53(f)

SEP 27 2004

9. \_\_\_\_\_ (No.) Certified copy (copies):  attached;  previously filed (date) \_\_\_\_\_ filed on \_\_\_\_\_  
 in U.S. Application No. \_\_\_\_\_ /

10. Small Entity Status   is Not claimed  is claimed (file PAT-256 if this is the first claim of Small Entity Status)

11.  Attached:12.  Preliminary Amendment:

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED**

				Large/Small Entity		Fee Code
13. Basic Filing Fee .....	Design Application	\$320/\$160			106/26	
	Not Design Application	\$710/\$355		+710	101/201	
14. Total Effective Claims	23	minus 20 =	3	x \$18/\$9	+54	103/203
15. Independent Claims	1	minus 3 =	0	x \$80/\$40	+0	102/202
16. If any proper multiple dependent claim (ignore improper) is present, (Leave this line blank if this is a reissue application)		\$270/\$135		+0	104/204	
17. Surcharge for filing Declaration/filing fee late		\$130/\$65		+130	105/205	
18.	<b>FILING FEE ENCLOSED =</b>				<b>\$894</b>	
19. <u>Original due date:</u>	August 27, 2001					
20. Petition is hereby made to extend the <u>original</u> due date to cover the date this response is filed for which the requisite fee is attached	(1 mo)	\$110/\$55 =		+0	115/215	
	(2mos)	\$390/\$195 =			116/216	
	(3mos)	\$890/\$445 =			117/217	
	(4mos)	\$1390/\$695 =			118/218	
21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee .....		\$130		+0	139	
22. If "assignment" box 5 is X'd, add recording fee. ....		\$40		+40	581	
23. Petition Fee for		\$130		+0		
24.	<b>TOTAL FEE ENCLOSED =</b>				<b>\$934</b>	

Our Deposit Account No. 03-3975

Our Order No. 34062

C#

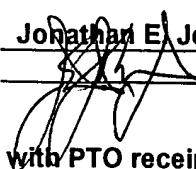
272080

M#

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This CHARGE STATEMENT does not authorize charge of the Issue fee until/unless an Issue fee transmittal form is filed.

**Pillsbury Winthrop LLP**  
**Intellectual Property Group**

101 W. Broadway, Suite 1800  
 San Diego, CA 92101-8219  
 Tel: (619) 234-5000  
 Atty/Sec: JEJ/KAC

By Atty: Jonathan E. Jobe, Jr.  
 Sig: 

Reg. No. 28,429  
 Fax: (619) 236-1995  
 Tel: (619) 544-3102

**NOTE: File in duplicate with PTO receipt (PAT-103A) and attachments**

3623  
JFW**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

		Application Number	09/844,287
		Filing Date	April 27, 2001
		First Named Inventor	Butler
		Art Unit	3623
		Examiner Name	Johnna Stimpak
Total Number of Pages in This Submission		Attorney Docket Number	022275-002400US

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard, <i>Copy of Resp. to M.P.</i> Request for Copy of Recorded Assignment Copy of USPTO Webpage Print-out
<input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application	
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Townsend and Townsend and Crew LLP Jonathan E. Jobe	Reg. No. 28,429
Signature		
Date	September 22, 2004	

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Julie C. Freiburger		
Signature		Date	September 22, 2004



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

PATENT  
Docket No.: 022275-002400US

On Sept. 22 '04

TOWNSEND and TOWNSEND and CREW LLP

By: JCS

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

BUTLER

Application No.: 09/844,287

Filed: April 27, 2001

For: METHOD OF PROVIDING  
COMPARATIVE MARKET  
INFORMATION

Examiner: Johnna Stimpak

Art Unit: 3623

**REQUEST FOR COPY OF RECORDED  
ASSIGNMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached please find a copy of the transmittal of the Response to Missing Parts in the above-referenced application filed August 8, 2001 including:

1. Copy of the sent return postcard with stamped return postcard attached indicating PTO receipt on August 13, 2001;
2. Copy of the check in the amount of \$934.00 for payment of the filing fee and the recordation of the assignment;
3. Transmittal Form;
4. Copy of Notice to File Missing Parts;
5. Recordation Form Cover Sheet;

Application No.: 09/844,287  
Page 2

6. Assignment; and
7. Declaration.

We never received the recorded assignment. We also cannot locate in the private side of PAIR a reflection that the assignment was recorded (please see attached print-out from the USPTO website). Interestingly, this application was cited by an Examiner in another application as assigned to Hallmark.

CONCLUSION

Therefore, please provide us with a copy of the recorded assignment. We do not believe there should be a charge for this since we have already paid the \$40.00 for assignment recordation.

Respectfully submitted,



Jonathan E. Jobe, Jr.  
Reg. No. 28,429

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: (415) 576-0200  
Fax: (415) 576-0300  
JEJ:jcf



United States Patent and Trademark Office

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SEP 27 2004

OIPE JC&S

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Search results as of: 9-21-2004::12:35

**Search results for application number: 09/844,287**

Application Number:	09/844,287	Customer Number:	-
Filing or 371(c) Date:	04-27-2001	Status:	Docketed New Case for Examination
Application Type:	Utility	Status Date:	10-18-2001
Examiner Name:	STIMPAK, JOHNNA	Location:	ELECTRONIC
Group Art Unit:	3623	Location Date:	-
Confirmation Number:	9996	Earliest Publication No.:	US 2002-0161623 A1
Attorney Docket Number:	P 034062 272080	Earliest Publication Date:	10-31-2002
Class/ Sub-Class:	705/026	Patent Number:	-
First Named Inventor:	Patrick Butler, Shawnee, KS (US)	Issue Date of Patent:	-
Title Of Invention:	Method of providing comparative market information		

Select Search Option

Image File Wrapper  
 Published Documents

**File History**

Date	Contents Description
04-09-2004	IFW TSS Processing by Tech Center Complete
08-14-2002	Case Docketed to Examiner in GAU
07-30-2002	Case Docketed to Examiner in GAU
04-23-2002	Case Docketed to Examiner in GAU
10-18-2001	Case Docketed to Examiner in GAU
10-08-2001	Application Dispatched from OIPE
10-09-2001	Application Is Now Complete
06-27-2001	Notice Mailed--Application Incomplete--Filing Date Assigned
06-26-2001	Correspondence Address Change
05-09-2001	IFW Scan & PACR Auto Security Review
04-27-2001	Initial Exam Team nn